

1 **R307. Environmental Quality, Air Quality.**

2 **~~R307-309.[Davis, Salt Lake and Utah Counties, Ogden City and~~**  
3 **~~Any]Nonattainment and Maintenance Areas~~ for PM10: Fugitive**  
4 **~~Emissions and Fugitive Dust.~~**

5 **R307-309-1. Purpose.**

6 This rule establishes minimum work practices and emission  
7 standards for sources of fugitive emissions and fugitive dust  
8 listed in Section IX, Part H of the state implementation plan or  
9 located in PM10 nonattainment and maintenance areas to meet the  
10 reasonably available control measures for PM10 required in  
11 section 189(a)(1)(C) of the Act.

12  
13 **R307-309-2.Definitions.**

14 The following addition definition applies to R307-309:  
15 "Material" means sand, gravel, soil, minerals other matter  
16 that may create fugitive dust.

17  
18 **R307-309-[1](3). Applicability[ and Definitions].**

19 (1) Applicability. R307-309 applies to all sources of  
20 fugitive dust and fugitive emissions listed in Section IX, Part  
21 H of the state implementation plan or located in [Davis, Salt  
22 Lake and Utah Counties, Ogden City, and any]a nonattainment or  
23 maintenance area for PM10, except as specified in (2) below.[  
24 Any source located in those areas for which limitations for  
25 fugitive dust or fugitive emissions are assigned pursuant to  
26 R307 401 is subject to R307 309 on May 4, 1999, unless the  
27 source has an operating permit issued under R307 415 prior to  
28 that date. If the source has an operating permit, the source is  
29 subject to R307-309 on the date of permit renewal or permit  
30 reopening as specified in R307 415, whichever occurs first.]

31 (2) Exemptions.

32 (a) The provisions of R307-309 do not apply to  
33 agricultural or horticultural activities specified in 19-2-114  
34 (1)-(3).

35 (b) Any [source] activity [which is] subject to [R307 305-2  
36 through 7 or] R307-307 is exempt from [all provisions of] R307-  
37 309-7[ except for R307-309-4].

38 ~~—— (c) Any source regulated by R307 205 [5]7 or [R307 205 6]8~~  
39 ~~is exempt from all provisions of R307 309 except for R307 309~~  
40 ~~[4]6.~~

41 ~~(3) The following additional definitions apply to R307-~~  
42 ~~309:~~

43 ~~—— "Material" means sand, gravel, soil, minerals or other~~  
44 ~~matter which may create fugitive dust.~~

45 ~~—— "Road" means any public or private road.]~~

46 (3) Compliance Schedule. Any source located in a new  
47 nonattainment area for PM10 is subject to R307-309 180 days

1 after the area is designated nonattainment by the Environmental  
2 Protection Agency.

3  
4 **R307-309-[2](4). Fugitive Emissions.**

5 Fugitive emissions from any source shall not exceed 15%  
6 opacity. Opacity observations shall be conducted in accordance  
7 with EPA Method 9.

8  
9 **R307-309-[3](5). General Requirements for Fugitive Dust.**

10 (1) Except as provided in (2) below, [Ø]opacity caused by  
11 fugitive dust shall not exceed:

12 (a) 10% at the property boundary; and

13 (b) 20% on site [~~unless an approval order issued under~~  
14 ~~R307-401 or a dust control plan specifies a lower level; Except]~~

15 (2) Opacity in (1) above shall not apply when the wind  
16 speed exceeds [25]30 miles per hour and the owner or operator is  
17 taking appropriate actions to control fugitive dust.

18 (a) If the source has a fugitive dust control plan  
19 approved by the executive secretary, control measures in the  
20 plan are considered appropriate.

21 (b) Wind speed may be measured by a hand-held anemometer  
22 or equivalent device.[

23 ~~(2) Any source with a dust control plan approved by the~~  
24 ~~executive secretary prior to March 4, 1999, shall review and~~  
25 ~~revise the plan in accordance with R307-309-4 below. The~~  
26 ~~revised plan shall be submitted to the executive secretary no~~  
27 ~~later than May 4, 1999.]~~

28 (3) Opacity observations shall be conducted in accordance  
29 with EPA Method 9.

30  
31 **R307-309-[4](6). Fugitive Dust Control Plan.**

32 (1) Any person owning or operating a new or existing  
33 source of fugitive dust, including storage, hauling or handling  
34 operations, or engaging in clearing or leveling of land one-  
35 quarter acre or greater in size, earthmoving, excavation, or  
36 movement of trucks or construction equipment over cleared land  
37 one-quarter acre or greater in size or access haul roads, or  
38 engaging in demolition activities including razing homes,  
39 buildings or other structures shall submit a plan to control  
40 fugitive dust to the executive secretary no later than 30 days  
41 after the source becomes subject to [the rule]R307-309. The  
42 plan shall address fugitive dust control strategies for the  
43 following operations as applicable:

44 (a) Material Storage;

45 (b) Material handling and transfer;

46 (c) Material processing;

47 (d) Road ways and yard areas;

- (e) Material loading and dumping;  
(f) Hauling of materials;  
(g) Drilling, blasting and pushing operations;  
(h) Clearing and leveling;  
(i) Earth moving and excavation;  
(j) Exposed surfaces;  
(k) Any other source of fugitive dust.  
(2) Strategies to control fugitive dust may include:  
(a) Wetting or watering;  
(b) Chemical stabilization;  
(c) Enclosing or covering operations;  
(d) Planting vegetative cover;  
(e) Providing synthetic cover;  
(f) Wind breaks;  
(g) Reducing vehicular traffic;  
(h) Reducing vehicular speed;  
(i) Cleaning haul trucks before leaving loading area;  
(j) Limiting pushing operations to wet seasons;  
(k) Paving or cleaning road ways;  
(l) Covering loads;  
(m) Conveyor systems;  
(n) Boots on drop points;  
(o) Reducing the height of drop areas;  
(p) Using dust collectors;  
(q) Reducing production;  
(r) Mulching;  
(s) Limiting the number and power of blasts;  
(t) Limiting blasts to non-windy days and wet seasons;  
(u) Hydro drilling;  
(v) Wetting materials before processing;  
(w) Using a cattle guard before entering a paved road;  
(x) Washing haul trucks before leaving the loading site;  
[or]  
(y) Terracing[.]  
or  
(z) Cleaning the materials that may create fugitive dust on a public or private paved road promptly.  
(aa) Preventing, to the maximum extent possible, material from being deposited onto any paved road other than a designated deposit site.  
(3) Each source shall comply with all provisions of the fugitive dust control plan as approved by the executive secretary.
- ~~[R307-309-5. Storage, Hauling and Handling of Aggregate Materials.~~  
~~Any person owning, operating or maintaining a new or~~

~~existing material storage, handling or hauling operation shall prevent, to the maximum extent possible, material from being deposited onto any paved road other than a designated deposit site. Any such person who deposits materials [which] that may create fugitive dust on a public or private paved road shall clean the road promptly.~~

**~~R307-309-6. Construction and Demolition Activities.~~**

~~Any person engaging in clearing or leveling of land with an area of one quarter acre or more, earthmoving, excavating, construction, demolition, or moving trucks or construction equipment over cleared land or access haul roads shall prevent, to the maximum extent possible, material from being deposited onto any paved road other than a designated deposit site. Any such person who deposits materials [which] that may create fugitive dust on a public or private paved road shall clean the road promptly.]~~

**R307-309-7. Roads.**

(1) Any person responsible for construction or maintenance of any existing road or having right-of-way easement or possessing the right to use the same whose activities result in fugitive dust from the road shall minimize fugitive dust to the maximum extent possible. Any such person who deposits materials [which] that may create fugitive dust on a public or private paved road shall clean the road promptly.

(2) Unpaved Roads.

(a) When unpaved roads have an average daily traffic volume of less than 150 vehicle trips per day, averaged over a consecutive 5-day period, fugitive dust shall be minimized to the maximum extent possible.

(b) When unpaved roads have an average daily traffic volume of 150 vehicle trips per day or greater, averaged over a consecutive 5 day period, control techniques shall be used which are equal to or better than 2-inch bituminous surface.

(c) Any person responsible for construction or maintenance of any new or existing unpaved road shall prevent, to the maximum extent possible, the deposit of material from the unpaved road onto any intersecting paved road during construction or maintenance. Any person who deposits materials [which] that may create fugitive dust on a public or private paved road shall clean the road promptly.

**R307-309-8. Mining Activities.**

(1) Fugitive dust, construction activities, and roadways associated with mining activities are regulated under the provisions of R307-309-8 and not by R307-309-7 and 9.

1       (2) Any person who owns or operates a mining operation  
2 shall minimize fugitive dust as an integral part of site  
3 preparation, mining activities, and reclamation operations.

4       (3) The fugitive dust control measures to be used may  
5 include:

6       (a) periodic watering of unpaved roads,

7       (b) chemical stabilization of unpaved roads,

8       (c) paving of roads,

9       (d) prompt removal of coal, rock minerals, soil, and other  
10 dust-forming debris from roads and frequent scraping and  
11 compaction of unpaved roads to stabilize the road surface,

12       (e) restricting the speed of vehicles in and around the  
13 mining operation,

14       (f) revegetating, mulching, or otherwise stabilizing the  
15 surface of all areas adjoining roads that are a source of  
16 fugitive dust,

17       (g) restricting the travel of vehicles on other than  
18 established roads,

19       (h) enclosing, covering, watering, or otherwise treating  
20 loaded haul trucks and railroad cars, to minimize loss of  
21 material to wind and spillage,

22       (i) substitution of conveyor systems for haul trucks and  
23 covering of conveyor systems when conveyed loads are subject to  
24 wind erosion,

25       (j) minimizing the area of disturbed land,

26       (k) prompt revegetation of regraded lands,

27       (l) planting of special windbreak vegetation at critical  
28 points in the permit area,

29       (m) control of dust from drilling, using water sprays,  
30 hoods, dust collectors or other controls approved by the  
31 executive secretary.

32       (n) restricting the areas to be blasted at any one time,

33       (o) reducing the period of time between initially  
34 disturbing the soil and revegetating or other surface  
35 stabilization,

36       (p) restricting fugitive dust at spoil and coal transfer  
37 and loading points,

38       (q) control of dust from storage piles through use of  
39 enclosures, covers, or stabilization and other equivalent  
40 methods or techniques as approved by the executive secretary,  
41 or

42       (r) other techniques as determined necessary by the  
43 executive secretary.

44  
45 **R307-309-9. Tailings Piles and Ponds.**

46       (1) Fugitive dust, construction activities, and roadways  
47 associated with tailings piles and ponds are regulated under the

1 provisions of R307-309-9 and not by R307-309 7 and 8.

2 (2) Any person owning or operating an existing tailings  
3 operation where fugitive dust results from grading, excavating,  
4 depositing, or natural erosion or other causes in association  
5 with such operation shall take steps to minimize fugitive dust  
6 from such activities. Such controls may include:

7 (a) watering,

8 (b) chemical stabilization,

9 (c) synthetic covers,

10 (d) vegetative covers,

11 (e) wind breaks,

12 (f) minimizing the area of disturbed tailings,

13 (g) restricting the speed of vehicles in and around the  
14 tailings operation, or

15 (h) other equivalent methods or techniques which may be  
16 approvable by the executive secretary.

17  
18 **KEY: air pollution, dust [\*], PM 10**  
19 **[~~May 4, 1999~~]2005**

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